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AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
BY DEPUTY

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
SAMUEL N. REZENE,  
Defendant.

NO. CR24-209 JLR  
**PLEA AGREEMENT**

The United States, through Acting United States Attorney Teal Luthy Miller and Assistant United States Attorneys Todd Greenberg and Stephen P. Hobbs of the Western District of Washington, and SAMUEL N. REZENE and his attorney David Hammerstad, enter into the following Plea Agreement, pursuant to Federal Rule of Criminal Procedure Rule 11(c)(1)(B).

1. **The Charge.** Defendant, having been advised of the right to have this matter tried before a jury, agrees to waive that right and enters a plea of guilty to the following charge contained in the Indictment: *Unlawful Possession of a Firearm*, in violation of Title 18, United States Code, Section 922(g)(1), as charged in Count 1 of the Indictment.

1 By entering this plea of guilty, Defendant hereby waives all objections to the form  
 2 of the charging document. Defendant further understands that before entering any guilty  
 3 plea, Defendant will be placed under oath. Any statement given by Defendant under oath  
 4 may be used by the United States in a prosecution for perjury or false statement.

5 **2. Elements of the Offense.** The elements of the of *Unlawful Possession of a*  
*Firearm*, in violation of Title 18, United States Code, Section 922(g)(1), as charged in  
 6 Count 1 of the Indictment, are as follows:

7 *First*, the Defendant knowingly possessed a firearm;

8 *Second*, the firearm had been shipped and transported in interstate and  
 9 foreign commerce; and

10 *Third*, the Defendant knew at the time that he possessed the firearm that he  
 11 had been convicted of one or more crimes punishable by imprisonment for a term  
 12 exceeding one year.

13 **3. The Penalties.** Defendant understands that the statutory penalties  
 14 applicable to the offense of *Unlawful Possession of a Firearm*, in violation of Title 18,  
 15 United States Code, Section 922(g)(1), as charged in Count 1 of the Indictment, are as  
 16 follows: A maximum term of imprisonment of 15 years, a fine of up to \$250,000.00, a  
 17 period of supervision following release from prison of up to three years, and a mandatory  
 18 special assessment of \$100.00 dollars. If a probationary sentence is imposed, the  
 19 probation period can be for up to five years.

20 Defendant understands that supervised release is a period of time following  
 21 imprisonment during which Defendant will be subject to certain restrictive conditions and  
 22 requirements. Defendant further understands that, if supervised release is imposed and  
 23 Defendant violates one or more of the conditions or requirements, Defendant could be  
 24 returned to prison for all or part of the term of supervised release that was originally  
 25 imposed. This could result in Defendant serving a total term of imprisonment greater  
 26 than the statutory maximum stated above.

1           Defendant understands that as a part of any sentence, in addition to any term of  
 2 imprisonment and/or fine that is imposed, the Court may order Defendant to pay  
 3 restitution to any victim of the offense, as required by law.

4           Defendant further understands that the consequences of pleading guilty may  
 5 include the forfeiture of certain property, either as a part of the sentence imposed by the  
 6 Court, or as a result of civil judicial or administrative process.

7           Defendant agrees that any monetary penalty the Court imposes, including the  
 8 special assessment, fine, costs, or restitution, is due and payable immediately and further  
 9 agrees to submit a completed Financial Disclosure Statement as requested by the United  
 States Attorney's Office.

10          **4. Immigration Consequences.** Defendant recognizes that pleading guilty  
 11 may have consequences with respect to Defendant's immigration status if Defendant is  
 12 not a citizen of the United States. Under federal law, a broad range of crimes are grounds  
 13 for removal, and some offenses make removal from the United States presumptively  
 14 mandatory. Removal and other immigration consequences are the subject of a separate  
 15 proceeding, and Defendant understands that no one, including Defendant's attorney and  
 16 the Court, can predict with certainty the effect of a guilty plea on immigration status.  
 17 Defendant nevertheless affirms that Defendant wants to plead guilty regardless of any  
 18 immigration consequences that Defendant's guilty plea may entail, even if the  
 consequence is Defendant's mandatory removal from the United States.

19  
 20          **5. Rights Waived by Pleading Guilty.** Defendant understands that by  
 21 pleading guilty, Defendant knowingly and voluntarily waives the following rights:

- 22           a.       The right to plead not guilty and to persist in a plea of not guilty;
- 23           b.       The right to a speedy and public trial before a jury of Defendant's  
 peers;
- 24           c.       The right to the effective assistance of counsel at trial, including, if  
 25 Defendant could not afford an attorney, the right to have the Court appoint one for  
 26 Defendant;

- 1                   d.     The right to be presumed innocent until guilt has been established  
2 beyond a reasonable doubt at trial;
- 3                   e.     The right to confront and cross-examine witnesses against Defendant  
4 at trial;
- 5                   f.     The right to compel or subpoena witnesses to appear on Defendant's  
6 behalf at trial;
- 7                   g.     The right to testify or to remain silent at trial, at which trial such  
8 silence could not be used against Defendant; and
- 9                   h.     The right to appeal a finding of guilt or any pretrial rulings.

10                 **6. United States Sentencing Guidelines.** Defendant understands and  
11 acknowledges that the Court must consider the sentencing range calculated under the  
12 United States Sentencing Guidelines and possible departures under the Sentencing  
13 Guidelines together with the other factors set forth in Title 18, United States Code,  
14 Section 3553(a), including: (1) the nature and circumstances of the offense(s); (2) the  
15 history and characteristics of Defendant; (3) the need for the sentence to reflect the  
16 seriousness of the offense(s), to promote respect for the law, and to provide just  
17 punishment for the offense(s); (4) the need for the sentence to afford adequate deterrence  
18 to criminal conduct; (5) the need for the sentence to protect the public from further  
19 crimes of Defendant; (6) the need to provide Defendant with educational and vocational  
20 training, medical care, or other correctional treatment in the most effective manner; (7)  
21 the kinds of sentences available; (8) the need to provide restitution to victims; and (9) the  
22 need to avoid unwarranted sentence disparity among defendants involved in similar  
23 conduct who have similar records. Accordingly, Defendant understands and  
24 acknowledges that:

25                 //

26                 //

27                 //

1                   a. The Court will determine Defendant's Sentencing Guidelines range  
 2 at the time of sentencing;

3                   b. After consideration of the Sentencing Guidelines and the factors in  
 4 18 U.S.C. 3553(a), the Court may impose any sentence authorized by law, up to the  
 5 maximum term authorized by law;

6                   c. The Court is not bound by any recommendation regarding the  
 7 sentence to be imposed, or by any calculation or estimation of the Sentencing Guidelines  
 8 range offered by the parties or the United States Probation Department, or by any  
 9 stipulations or agreements between the parties in this Plea Agreement; and

10                  d. Defendant may not withdraw a guilty plea solely because of the  
 11 sentence imposed by the Court.

12                  7. **Ultimate Sentence.** Defendant acknowledges that no one has promised or  
 13 guaranteed what sentence the Court will impose.

14                  8. **Statement of Facts.** The parties agree on the following facts. Defendant  
 15 admits Defendant is guilty of the charged offenses:

16                  On October 31, 2023, at approximately 12:45 a.m., there was an accident at  
 17 North 105th Street and Aurora Avenue North in Seattle, Washington  
 18 involving a white GMC Yukon registered to Samuel Rezene' parents. SPD  
 19 officers arrested Rezene shortly thereafter approximately one-quarter mile  
 20 away. Rezene's parents told police officers that they lent the vehicle to  
 21 Rezene approximately an hour before the accident.

22                  Officers at the accident scene arranged for the Yukon to be towed and  
 23 observed a Glock 19 9mm semi-automatic pistol in plain view on the  
 24 driver's floorboard of the vehicle. They ultimately obtained a search  
 25 warrant and seized the firearm. The firearm was fully loaded with a round  
 26 in the chamber. Rezene's DNA was found on the magazine of the firearm.  
 27 Defendant admits that he knowingly possessed the firearm, and that the  
 28 firearm was not manufactured in the State of Washington and therefore had  
 29 traveled in interstate and/or foreign commerce.

1 Rezene knew that he had been convicted of one or more crimes punishable  
 2 by imprisonment for a term exceeding one year, including: *Unlawful*  
 3 *Possession of a Firearm*, in the United States District Court for the Western  
 4 District of Washington, in case number CR16-185 JLR, on or about  
 5 September 12, 2017.

6 The parties agree that the Court may consider additional facts contained in the  
 7 Presentence Report (subject to standard objections by the parties) and/or that may be  
 8 presented by the United States or Defendant at the time of sentencing, and that the factual  
 9 statement contained herein is not intended to limit the facts that the parties may present to  
 10 the Court at the time of sentencing.

11       **9. Sentencing Factors.** The parties agree that the following Sentencing  
 12 Guidelines provisions apply to this case:

- 13           a.     A base offense level of 14, pursuant to USSG § 2K2.1(a)(6).
- 14           b.     At sentencing, if the Court concludes Defendant qualifies for a  
 downward adjustment for acceptance of responsibility pursuant to USSG § 3E1.1(a), a  
 two-level downward adjustment.

15       The parties agree they are free to present arguments regarding the applicability of  
 16 all other provisions of the United States Sentencing Guidelines. Defendant understands,  
 17 however, that at the time of sentencing, the Court is free to reject these stipulated  
 18 adjustments, and is further free to apply additional downward or upward adjustments in  
 19 determining Defendant's Sentencing Guidelines range.

20       **10. Sentencing Recommendation.** The government agrees to recommend a  
 21 sentence at the high end of the Sentencing Guidelines range as calculated by the Court at  
 22 the time of sentencing. Defendant is free to recommend any sentence. The parties further  
 23 agree to jointly recommend that the Court run 12 months of the 24-month sentence  
 24 Defendant is currently serving in case CR16-185 concurrent with the sentence in the  
 instant case.

25       Defendant understands that these recommendations are not binding on the Court  
 26 and the Court may reject the recommendations of the parties and may impose any term of  
 27 imprisonment up to the statutory maximum penalty authorized by law. Defendant further

1 understands that Defendant cannot withdraw a guilty plea simply because of the sentence  
 2 imposed by the Court. Except as otherwise provided in this Plea Agreement, the parties  
 3 are free to present arguments regarding any other aspect of sentencing.  
 4

5 **11. Abandonment of Firearms, Ammunition, and Contraband.** Defendant  
 6 also agrees that, if any law enforcement agency seized any firearms, ammunition, or  
 7 illegal contraband that was in Defendant's direct or indirect control, Defendant consents  
 8 to the federal administrative disposition, official use, and/or destruction of that property  
 9 and contraband.  
 10

11 **12. Non-Prosecution of Additional Offenses.** As part of this Plea Agreement,  
 12 the United States Attorney's Office for the Western District of Washington agrees not to  
 13 prosecute Defendant for any additional offenses known to it as of the time of this Plea  
 14 Agreement based upon evidence in its possession at this time, and that arise out of the  
 15 conduct giving rise to this investigation. In this regard, Defendant recognizes the United  
 16 States has agreed not to prosecute all of the criminal charges the evidence establishes  
 17 were committed by Defendant solely because of the promises made by Defendant in this  
 18 Plea Agreement. Defendant agrees, however, that for purposes of preparing the  
 19 Presentence Report, the United States Attorney's Office will provide the United States  
 20 Probation Office with evidence of all conduct committed by Defendant.  
 21

22 Defendant agrees that any charges to be dismissed before or at the time of  
 23 sentencing were substantially justified in light of the evidence available to the United  
 24 States, were not vexatious, frivolous or taken in bad faith, and do not provide Defendant  
 25 with a basis for any future claims under the "Hyde Amendment," Pub. L. No. 105-119  
 26 (1997).  
 27

28 **13. Breach, Waiver, and Post-Plea Conduct.** Defendant agrees that, if  
 29 Defendant breaches this Plea Agreement: (a) the United States may withdraw from this  
 30 Plea Agreement and Defendant may be prosecuted for all offenses for which the United  
 31 States has evidence; (b) Defendant will not oppose any steps taken by the United States  
 32

1 to nullify this Plea Agreement, including the filing of a motion to withdraw from the Plea  
 2 Agreement; and (c) Defendant waives any objection to the re-institution of any charges  
 3 that previously were dismissed or any additional charges that had not been prosecuted.

4 Defendant further understands that if, after the date of this Plea Agreement,  
 5 Defendant should engage in illegal conduct, or conduct that violates any conditions of  
 6 release or the conditions of confinement (examples of which include, but are not limited  
 7 to, obstruction of justice, failure to appear for a court proceeding, criminal conduct while  
 8 pending sentencing, and false statements to law enforcement agents, the Pretrial Services  
 9 Officer, Probation Officer, or Court), the United States is free under this Plea Agreement  
 10 to file additional charges against Defendant or to seek a sentence that takes such conduct  
 11 into consideration by requesting the Court to apply additional adjustments or  
 12 enhancements in its Sentencing Guidelines calculations in order to increase the applicable  
 13 advisory Guidelines range, and/or by seeking an upward departure or variance from the  
 14 calculated advisory Guidelines range. Under these circumstances, the United States is  
 15 free to seek such adjustments, enhancements, departures, and/or variances even if  
 otherwise precluded by the terms of the Plea Agreement.

**16 14. Waiver of Appellate Rights and Rights to Collateral Attacks.**

17 Defendant acknowledges that, by entering the guilty plea(s) required by this Plea  
 18 Agreement, Defendant waives all rights to appeal from Defendant's conviction, and any  
 19 pretrial rulings of the Court, and any rulings of the Court made prior to entry of the  
 20 judgment of conviction. Defendant further agrees that, provided the Court imposes a  
 21 custodial sentence that is within or below the Sentencing Guidelines range (or the  
 22 statutory mandatory minimum, if greater than the Guidelines range) as determined by the  
 23 Court at the time of sentencing, Defendant waives to the full extent of the law any right  
 24 conferred by Title 18, United States Code, Section 3742, to challenge, on direct appeal,  
 25 the sentence imposed by the Court, including any fine, restitution order, probation or  
 26 supervised release conditions, or forfeiture order (if applicable). This includes any  
 27 procedural challenges to the sentence, including any claim that the procedure employed  
 at sentencing violated Defendant's constitutional rights.

1       Defendant also agrees that, by entering the guilty plea(s) required by this Plea  
 2 Agreement, Defendant waives any right to bring a collateral attack against the conviction  
 3 and sentence, including any restitution order imposed, except as it may relate to the  
 4 effectiveness of legal representation or a claim of prosecutorial misconduct based on facts  
 5 unknown or not reasonably discoverable prior to entry of the judgment of conviction.

6       Defendant acknowledges that certain claims, including certain claims for  
 7 prosecutorial misconduct, will be barred by operation of law by virtue of their guilty plea,  
 8 independently from this Plea Agreement. This waiver does not preclude Defendant from  
 9 bringing an appropriate motion to address the conditions of Defendant's confinement or  
 10 the decisions of the Bureau of Prisons regarding the execution of Defendant's sentence.

11       If Defendant breaches this Plea Agreement at any time by appealing or collaterally  
 12 attacking (except as to claims not subject to the waiver, above) the conviction or sentence  
 13 in any way, the United States may prosecute Defendant for any counts, including those  
 14 with mandatory minimum sentences, that were dismissed or not charged pursuant to this  
 15 Plea Agreement.

16       **15. Voluntariness of Plea.** Defendant agrees that Defendant has entered into  
 17 this Plea Agreement freely and voluntarily, and that no threats or promises were made to  
 18 induce Defendant to enter a plea of guilty other than the promises contained in this Plea  
 19 Agreement or set forth on the record at the change of plea hearing in this matter.

20       **16. Statute of Limitations.** In the event this Plea Agreement is not accepted  
 21 by the Court for any reason, or Defendant breaches any of the terms of this Plea  
 22 Agreement, the statute of limitations shall be deemed to have been tolled from the date of  
 23 the Plea Agreement to: (1) thirty (30) days following the date of non-acceptance of the  
 24 Plea Agreement by the Court; or (2) thirty (30) days following the date on which a breach  
 25 of the Plea Agreement by Defendant is discovered by the United States Attorney's  
 26 Office.  
 27

1       **17. Completeness of Plea Agreement.** The United States and Defendant  
2 acknowledge that these terms constitute the entire Plea Agreement between the parties,  
3 except as may be set forth on the record at the change of plea hearing in this matter. This  
4 Plea Agreement binds only the United States Attorney's Office for the Western District  
5 of Washington. It does not bind any other United States Attorney's Office or any other  
6 office or agency of the United States, or any state or local prosecutor.

Dated this 9<sup>th</sup> day of April, 2025.

SAMUEL N. REZENE  
Defendant

~~DAVID HAMMERSTAD~~  
Attorneys for Defendant

TODD GREENBERG  
STEPHEN P. HOBBS  
Assistant United States Attorneys